

UNITED STATES BANKRUPTCY COURT FOR THE
EASTERN DISTRICT OF WISCONSIN

IN RE
Todd H. Lasanske and Dawn M. Lasanske

Debtors.

Chapter: 13

Case No. 15-26946-beh

**NOTICE OF MOTION OF CITIMORTGAGE, INC., SUCCESSOR BY MERGER TO ABN
AMRO MORTGAGE GROUP, INC. FOR RELIEF FROM THE AUTOMATIC STAY**

CitiMortgage, Inc., successor by merger to ABN AMRO Mortgage Group, Inc., the current mortgagee of record, its successors, servicing agents and/or assignees (hereinafter collectively and at all times material hereto "the movant"), has filed papers with the court for an order for relief from the automatic stay.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, **within fourteen (14) days of the date of this notice**, you or your attorney must do the following:

File with the court a written objection to the motion and a request for a hearing with:

Clerk, U.S. Bankruptcy Court
U.S. Courthouse
517 E. Wisconsin Avenue, Room 126
Milwaukee, WI 53202-4500

Drafted by:

Jay Pitner
Gray & Associates, L.L.P.
16345 West Glendale Drive
New Berlin, WI 53151-2841
Phone: (414) 224-8404
Fax: (414) 224-1279
Email: jpitner@gray-law.com

Gray & Associates, L.L.P. is attempting to collect a debt and any information obtained will be used for that purpose. If you have previously received a discharge in a chapter 7 bankruptcy case, this communication should not be construed as an attempt to hold you personally liable for the debt.

If you mail your request and objection to the court for filing, you must mail it early enough so the court receives it within 14 days of the date of this notice.

You must also mail copies of the written objection and request for a hearing to:

Jay Pitner
Gray & Associates, L.L.P.
16345 West Glendale Drive
New Berlin, WI 53151-2841

Mary B. Grossman
Chapter 13 Trustee
P.O. Box 510920
Milwaukee, WI 53203

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Dated this 26th day of August, 2016.

Gray & Associates, L.L.P.
Attorneys for Movant

By: /s/ Jay Pitner
Jay Pitner
State Bar No. 1010692

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MORTGAGE GROUP, INC. FOR RELIEF FROM THE AUTOMATIC STAY**

CitiMortgage, Inc., successor by merger to ABN AMRO Mortgage Group, Inc., the current mortgagee of record, its successors, servicing agents and/or assignees (hereinafter collectively and at all times material hereto "the movant"), through its attorneys, Gray & Associates, L.L.P., hereby moves the court for an order for relief from the automatic stay pursuant to section 362(d) of the Bankruptcy Code and alleges as follows:

1. The movant holds a promissory note and mortgage encumbering real property owned by the debtor(s) and located at W150N7952 Menomonee Manor Ct, Menomonee Falls, WI 53051-4222. A copy of the mortgage and note are attached hereto and their contents are incorporated herein by reference.
2. That since the commencement of this case (or the resolution of the prior motion for relief from the automatic stay herein, if any), post-petition monthly mortgage payments have not been received as required by the terms of the plan in this case and, accordingly, the movant's records reflect that the

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following post-petition arrearage has accrued:

5/1/16 through 7/1/16	\$4,171.56
3 mortgage payments @ \$1,390.52	
Credits / Suspense	<u>(1,233.78)</u>
POST-PETITION ARREARAGE	<u>\$2,937.78</u>

3. That the default in payments constitutes "cause" for terminating the automatic stay under section 362(d)(1) of the Bankruptcy Code.

4. That failure to make the monthly payments has resulted in the loss of adequate protection of the movant's interest in the encumbered property, thereby entitling the movant to relief from the automatic stay under section 362(d)(1) of the Bankruptcy Code.

5. That as of July 6, 2016, the total amount due the movant was approximately \$128,258.01.

6. That the movant's legal fees and costs associated with this motion are \$976.00, which includes \$800.00 attorneys' motion filing fees and \$176.00 attorneys' motion filing costs.

WHEREFORE, the movant requests that the automatic stay be terminated pursuant to section 362(d) of the Bankruptcy Code so that the movant may protect, exercise and enforce its rights pursuant to said note and mortgage, that in the event this motion is granted, the movant be excused from complying

with Rule 3002.1 of the Federal Rules of Bankruptcy Procedure with respect to the mortgage in question, that the movant's legal fees and costs associated with this motion be approved, that any order entered pursuant to this motion be effective immediately upon its entry and for such further relief as may be just and equitable.

Dated this 26th day of August, 2016.

Gray & Associates, L.L.P.
Attorneys for Movant

By: /s/ Jay Pitner
Jay Pitner
State Bar No. 1010692

Citimortgage, Inc., services the loan on the property referenced in this motion for relief. In the event the automatic stay in this case is modified, this case dismisses, and/or the debtor obtains a discharge and a foreclosure action is commenced on the mortgaged property, the foreclosure will be conducted in the name of Citimortgage, Inc., Noteholder.

Noteholder directly or through an agent, has possession of the promissory note. The promissory note is either made payable to Noteholder or has been duly endorsed. Noteholder is the original mortgagee or beneficiary or the assignee of the security instrument for the referenced loan.

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AFFIDAVIT OF SERVICE

STATE OF WISCONSIN)
)ss
WAUKESHA COUNTY)

Stephanie E Weber, being first duly sworn on oath deposes and says that I am an employee of the firm of Gray & Associates, L.L.P., attorneys for creditor identified herein, and that on the 26th day of August, 2016, I electronically filed the annexed notice of motion and motion for an order for relief from the automatic stay and that copies of these documents were mailed, properly enclosed in a postage paid envelope, or served electronically if the party accepts electronic service, to the following:

Todd H. Lasanske
W150N7952 Menomonee Manor Ct
Menomonee Falls, WI 53051-4222

Dawn M. Lasanske
W150N7952 Menomonee Manor Ct
Menomonee Falls, WI 53051-4222

Mary B. Grossman Trustee
P.O. Box 510920
Milwaukee, WI 53203

Eastern District U.S. Trustee
517 E. Wisconsin Avenue, Room 430
Milwaukee, WI 53202

Steven E. Berg
11805 W Hampton Ave
Milwaukee, WI 53225-3612

Dated this 26th day of August, 2016.

/s/ Stephanie E Weber
Stephanie E Weber, Bankruptcy Analyst
Gray & Associates, L.L.P.

Subscribed and sworn to before me
this 26th day of August, 2016.

/s/ Deanna Wisner
Deanna Wisner, Notary Public
State of Wisconsin
My commission expires: 04/29/2018.

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